

### **REMARKS**

Claims 21-40 were pending in this application.

Claims 21, 25, 26, 29, 33, 34 and 39 have been amended, and claims 22, 24, 31 and 32 have been cancelled. Claims 21, 23, 25-30, 33-40 are pending in this application after the present amendment.

No new subject matter has been added.

#### **Basis for amendments**

Applicant is grateful for the indication that claims 24, 25, 27, 28, 32, 33, 35, 36, 39, and 40 contained patentable subject matter and would be allowable if rewritten.

Claim 21 has been amended to include all of the features of claim 21 as previously presented and the features of previously presented claims 23 and 24. Moreover, the objectionable wording "in particular..." has been removed from all claims where it appeared.

Claims 25 and 26, formerly dependent from claim 23, have been amended to depend from claim 21. The term "push button" has been replaced by "actuating element" in claim 25 to overcome the rejection under § 112. Furthermore, the wording "in particular which abuts the push button lower part" has been removed from claim 25 for the purpose of clarity.

Claim 29 has been amended to include all of the features of claim 29 as previously presented and the features of previously presented claims 31 and 32. The objectionable wording "in particular..." has been removed from all claims where it appeared.

Claims 33 and 34 have been amended to depend from claim 29 to conform to the amendment to claim and the cancellation of claims 31 and 32. Also, the "push button" has been replaced by "actuating element" in claim 33 to overcome the rejection under § 112. Furthermore, the wording "in particular which abuts the push button lower part" has been removed from claim 33 for the purpose of clarity.

The wording "in particular at a receiving element on which the storage plate directly or indirectly rests" in claim 39 has been removed.

#### **Claim Rejections - 35 USC § 112**

The Examiner rejected claims 21-39 under §112, second paragraph, as being indefinite on the basis that claims 21, 23, 25, 29, 31, 33 and 39 contained the term "in particular," which was

regarded as indefinite. That language and the related subject matter have been removed from amended claims, and that rejection is deemed overcome.

**Claim Rejections - 35 USC § 102 (b)**

The Examiner rejected claims 21-23, 26, 29-31, 34, 37 and 38 under § 102 (b) as anticipated by DE 4013158. However, the Examiner indicated that claims 24, 25, 27, 28, 32, 33, 35, 36, 39 and 40 to be allowable if rewritten.

The claims have been amended as suggested by the examiner and as described above. It is also noted that the amendments made to the claims and application do not add any new matter. Accordingly, claims 21, 22, 25 – 30, and 33 – 40 are deemed in condition for allowance.

**CONCLUSION**

It is respectfully submitted that all rejections or objections have been appropriately addressed and overcome by means of the amendments noted above. Reconsideration and withdrawal of the rejections and allowance of the pending claims are respectfully requested.

Applicant respectfully requests that a timely notice of Allowance be issued in this case.

If the Examiner believes that direct communication with the Applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

*WIM VAN BERKUM*

BY:



GREGORY J. LAVORGNA

Registration No. 30,469

DRINKER BIDDLE & REATH LLP

One Logan Square

18<sup>th</sup> and Cherry Streets

Philadelphia, PA 19103-6996

Tel: 215-988-3309

Fax: 215-988-2757

*Attorney for Applicant*